

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

L.J. ZUCCA, INC.

Plaintiff, : CIVIL ACTION NO. 1:07-CV-2-***

v.

ALLEN BROS. WHOLESALE
DISTRIBUTORS INC. *et al.*,

Defendants.

**AMENDED STIPULATION AND ORDER SETTING BRIEFING SCHEDULE FOR
DEFENDANT'S MOTION TO DISMISS**

THIS MATTER having come before the Court by Plaintiff L.J. Zucca, Inc. and Defendant Cooper-Booth Wholesale Company ("Cooper-Booth"), by and though their counsel; and counsel for the parties having agreed upon the below briefing schedule for Cooper-Booth's pending Motion for Partial Judgment on the Pleadings (DI Nos. 11, 12):

1. Plaintiff L.J. Zucca, Inc. shall file and serve its answering brief and accompanying affidavits, if any, on or before February 22, 2007.
2. Defendant Cooper-Booth shall file and serve its reply brief and accompanying affidavits, if any, on or before March 8, 2007.



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SO ORDERED this ____ day of February, 2007.

Magistrate Judge Mary Pat Thyng



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February 20, 2007

Via Hand Delivery

Honorable U.S. Magistrate Judge Mary Pat Thyng
United States District Court
844 N. King Street
Wilmington, DE 19801

Re: L.J. ZUCCA, INC. v. ALLEN BROS. WHOLESALE DISTRIB., et al.
Civil Action No. 1:07-CV-2-***

Dear Magistrate Judge Thyng:

This firm is counsel to Plaintiff L.J. Zucca, Inc. Enclosed please find a revised stipulation and draft order with respect to the briefing schedule on a pending Motion to Dismiss by Defendant Cooper-Booth Wholesale Company. This schedule permits each side an additional two days for its response and supplements that Stipulation which was filed on January 31, 2007. We are available at the Court's convenience to discuss this matter should Your Honor have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kimberly Large".

Kimberly Large

Enclosures

cc: David Sheppard, Esq. (by Email)
Stephen M. Orlofsky, Esq. (by Email)
Kit Applegate, Esq. (by Email)
Clerk, United States District Court